

### **REMARKS**

This amendment is responsive to the Office Action of March 23, 2007. Reconsideration and allowance of claims 1-19, 21, 22, and 24-31 are requested.

#### **The Office Action**

Claims 1 and 2 stand allowed.

Claims 3-19, 21, 22, and 24-29 stand rejected under 35 U.S.C. § 103 as being unpatentable over Townsend (US 6,490,476) in view of Dinkler (US 2002/0032927), further in view of Robinson (US 6,637,453).

Claims 30 and 31 stand allowed.

#### **The Present Amendment Should Be Entered**

First, the present amendment corrects **claim 21** to resolve the Examiner's objection.

Second, the amendment raises no new issues that would require further search or consideration. Rather, the amendment merely incorporates language suggestions of the Examiner.

Third, the present amendment places the application in condition for allowance or, at least, reduces the issues on appeal.

#### **The Claims Are Now in Condition For Allowance**

The allowance of **claims 1 and 2** is noted with appreciation.

Although it is submitted that **claim 3** as previously presented distinguishes patentably over the references of record, the applicants have amended it as the Examiner suggested in paragraph 2 of the Office Action in order to promote an early allowance. Claim 3 has been amended to require the first and second imaging devices to be in an "abutting" position and to designate the arcuate surface as a "drainage" surface. With this amendment, it is submitted that **claim 3 and claims 4-9 dependent therefrom** distinguish patentably and unobviously over the references of record.

Although it is submitted that **claim 10** does distinguish over the applied references as it stands, claim 10 has been amended to add the “abutting” relationship requirement between the first and second imaging devices as suggested by the Examiner in paragraph 3 of the Office Action. The applicants traverse the Examiner’s assertion that the fluid control surface as defined in claim 10 is not part of the imager housing. To the contrary, claim 10 calls for “a support structure ... includes: a fluid control surface...” Accordingly, it is submitted that contrary to the Examiner’s assertion, claim 10 does call for the fluid control surface to be part of the support structure. In an effort to promote a prompt allowance, the applicants have rephrased this portion of claim 10 to mimic more closely the language of the Examiner’s suggestions of claim 3 of the Office Action. Accordingly, it is submitted that **claim 10** is now in condition for allowance.

**Claim 11** calls for “a housing having a first scanner and a second scanner”. Thus, claim 11 calls for a common housing for the two scanners. By distinction, Townsend, cited by the Examiner, has two distinct scanners, each with a separate housing. There is no suggestion of one housing having two scanners. This deficiency is not cured by either Dinkler, which discloses a single scanner, or Robinson, which is directed to an operating table with a fluid drainage system. Because none of the references applied by the Examiner against claim 11 either disclose or fairly suggest a housing with two scanners, it is submitted that claim 11 is not rendered unpatentable by the references of record.

Moreover, claim 11 calls for a substantially arcuate continuous surface which is formed as a portion of the housing which is common to the first and second scanners. Such a construction is not shown by any of the three applied references. Moreover, the arcuate surface is required to have a peak underneath the patient and extend downwardly from the peak and towards lateral sides of the housing. The Examiner asserts in paragraph 2 of the Office Action that Dinkler discloses an arcuate surface as part of the housing in Figure 1. It is unclear to which portion of the housing of Dinkler the Examiner is alluding. However, it is submitted that in Dinkler, there is no surface “underneath the patient” which has “a peak located underneath the patient” and which surface extends “downwardly from the peak and toward lateral sides of the housing.” Thus, Dinkler does not, contrary to the assertions of paragraph 2 of the Office Action, disclose an “arcuate” surface which meets the

above-referenced limitations of claim 11. Accordingly, it is submitted that **claim 11 and claims 12-16 dependent therefrom** distinguish patentably and unobviously over the references of record.

Although it is submitted that **claim 17** distinguishes patentably over the applied references in its unamended form, the applicants have amended claim 17 to incorporate the Examiner's suggestions set forth in paragraph 5 of the Office Action and have added the suggested drainage limitation. Accordingly, it is submitted that **claim 17 and claims 18, 19, and 21 dependent therefrom** distinguish patentably and unobviously over the references of record.

The Examiner's basis for rejecting **claim 22** is not set forth with specificity. Accordingly, it is unclear which reference is asserted to set forth each of the various claimed components.

Claim 22 calls for a housing which houses a scanning device to define a drainage surface below at least portion of the patient support surface. Townsend discloses no drainage support surface on either disclosed scanner housing. Robinson discloses a drape **52** which extends from adjacent one end of an operating table **58** to a fluid control island **20**. There is no scanner or scanner housing disclosed in Robinson. The patient support **18** of Townsend and the operating table **58** of Robinson are the most analogous structures. If one were to add the drainage drape of Robinson to Townsend, it is submitted that one would drape it from one end of the patient support. That is, there is no suggestion in Townsend, Robinson, or the combination, for the scanner housing to define a drainage surface. Dinkler does not cure this shortcoming of Townsend and Robinson. Dinkler again makes no suggestion of a drainage surface being defined on any surface of a scanner housing. The Examiner alludes to paragraph [0051] which indicates that the opening **34** can perform numerous functions, one of which is drainage. It is not clear from Dinkler that fluids are supposed to flow directly through this hole as opposed to using the hole **34** to pass drainage tubes or other drainage devices. Regardless how the hole **34** of Dinkler is to be used for drainage purposes, it must be remembered that the hole **34** is defined in the table extension **26** which is a detachable portion of the patient support. Thus, both Robinson and Dinkler clearly teach that if any drainage facility is to be provided, it should be provided on the patient support. Neither provides any motivation to modify the housing structure of Townsend or other scanners to define a

drainage surface. Accordingly, it is submitted that **claim 22 and claims 24-29 dependent therefrom** distinguish patentably and unobviously over the references of record.

Dependent **claims 24-29** add additional limitations which cause the claims to distinguish yet more forcefully over the applied combination of references. For example, **claim 28** calls for two scanning device and for the drainage surface to extend outwardly and downwardly from opposite sides of the patient. The table extension **26** of Dinkler appears to be flat around hole **34**. Any sloping that may be present on other parts of the table extension are in the opposite sense to that recited in claim 28. In Robinson, where the drape hangs off the foot or head of the bed, there is again no suggestion of a drainage surface that extends downwardly and outwardly from opposite sides of the patient. **Claim 29**, which depends from claim 28, calls for an upwardly arched surface immediately below the patient. This again emphasizes arcing in an opposite sense from that disclosed in any of the references. Accordingly, it is again submitted that **claim 22 and claims 24-29 dependent therefrom** distinguish patentably and unobviously over the references of record.

The allowance of **claims 30 and 31** is noted with appreciation.

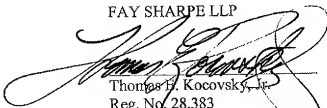
### CONCLUSION

For the reasons set forth above, it is submitted that claims 1-19, 21, 22, and 24-31 are now in condition for allowance. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is requested to telephone Thomas Kocovsky at (216) 861-5582.

Respectfully submitted,

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